

**Statement of Common Ownership**

U.S. Patent Application 09/701,797 by Clifford L. Hersh, et al and U.S. Patent 5,438,680 to

Sullivan were, at the time the invention of Application 09/701,797 was made, owned by Company

ANTS SOFTWARE. Ownership is evidenced by assignment of U.S. Patent 5,438,680 from

5 INTELLECTUAL PROPERTIES AND TECHNOLOGY, INC. to ANTS SOFTWARE.COM

executed on 12/06/1999 and recorded with the USPTO on Reel 010499 Frame 0610.

## REMARKS

Claims 1-12 are currently pending in this application, of which Claims 1, 3, 5, and 12 are currently amended. As requested by the Examiner, line numbers have been added to the claims.

### Rejections under 35 U.S.C. § 112

5     Claims 1-11 were rejected under 35 U.S.C. § 112.

Regarding Claims 1 and 3, the Examiner states “it is not clearly understood what is meant by ‘locking an unlocking list.’” The Applicants traverse this statement and point out that the terms “locking a list” and “unlocking a list” would be clearly understood by a person of ordinary skill in the art and are, thus, not indefinite.

10       For example, the American Heritage® Dictionary of the English Language, Fourth Edition Copyright © 2000 by Houghton Mifflin Company, provides the following definitions for “locking” in the field of computer science: “To end the processing of (a magnetic tape or disk) in such a way as to deny access to its contents. To protect (a file) from changes or deletion.” In the context of the specification, locking a list means, for example, preventing other processes from making changes 15 to the list.

Regarding Claims 1 and 3, the Examiner further states “it is not clearly understood whether ‘said data’ refers to ‘share data’ in line 6.” The Applicants traverse this statement. In both Claims 1 and 3, the only “data” referenced is the data which the “plurality of tasks” are “operable to share.” Thus, there is no ambiguity as to which data is referred to by “said data.”

20       Claims 1 and 3 have been amended to clarify issues relating to proper antecedent basis.

**Regarding Claim 7**, the Examiner states “it is not indicated what is meant by ‘transferring the operation’ is being transferred.” The Applicants traverse this statement and direct the Examiner to the following material within the specification, which provide meaning to the language of Claim 7: page 3 lines 9-11, FIG. 1C steps 234 and 240, FIG. 1D steps 284 and 290, FIG. 2C steps 434 and 440, and FIG. 2D steps 484-490. Each of these steps, and the associated descriptions, provide an example wherein a list is found to be locked and a task is suspended. Suspension of a task includes transferring the operation of the list from the suspended task to a different task.

5 Claim 7 has been amended to clarify issues relating to proper antecedent basis.

**Regarding Claim 8**, the Examiner states “it is not clearly understood what is meant by one of plurality of tasks … as said one task.” It is the position of the Applicants that this language is unambiguous in view of the specification as filed. Specifically, “one of said plurality of tasks” has a responsibility. This responsibility is “for activating a selected ones of tasks.” And the “selected ones of task” are “contained on the same list as said one task.” The Examiner is referred to page 6 lines 18-26 of the specification as filed. This text includes one, of several, examples in support of 10 the above claim limitations.

### **Rejections under 35 U.S.C. §103**

Claims 1-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Disbrow (U.S. Patent 5,224,215) in view of Sullivan (U.S. Patent 5,438,680).

**The Applicants traverse this rejection under 35 U.S.C. 103(c).** Specifically, at the time 5 of the invention of the current application the claimed invention was owned by, or subject to an obligation of assignment to, the owner of U.S. Patent 5,438,680 to Sullivan. A statement of common ownership is made on page 6 of this paper. As such, U.S. Patent 5,438,680 to Sullivan qualifies under §102(e) and as such shall not preclude patentability under §103. The Applicants, therefore, request that the Examiner withdraw the rejection under 35 U.S.C. §103 and allow the 10 pending claims.

Applicants believe that all pending claims are allowable and respectfully request that the Examiner issue a Notice of Allowance. Should the Examiner have questions, the Applicants' undersigned representative may be reached at the number provided.

Respectfully submitted,  
Clifford L. Hersh, et. al

Date: November 22, 2005

  
Steven M. Colby, Ph.D. Reg. No. 50,250

Carr & Ferrell LLP  
2200 Geng Rd.  
Palo Alto, CA 94303  
Phone (650) 812-3424  
Fax (650) 812-3444